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**WEARE BOARD OF SELECTMEN
MEETING MINUTES
December 29, 2008**

PRESENT: TOM CLOW, CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Donna Osborne, Carl Knapp, Tim Cloud, Isabell Terrio, Dennis Terrio, Greg Begin, Dawn Wheeler, Cara Bellerose, Chuck Bellerose, Nick Nadeau, Stacey Nadeau, Frank Campana, Jason Ouellette, Tanya Ouellette, Phil Paveglio, Thomas VanBost, Nicole VanBost, Betty Straw, Sherry Burdick, Jan Snyder

7:10 p.m. Chairman Clow called the meeting to order.

Chairman Clow announced that this was not a regular meeting and there will be no public comment.

Chairman Clow opened the public hearing at 7:05 p.m.

PUBLIC HEARING – For the purpose of hearing public testimony and comment at the request of Robert Covino to accept approximately 1,300 LF of the extension of Meadow Drive as a Class V town maintained road.

Mr. Carl Knapp said the road has a crack down the middle and said there is funding set aside to take care of the road. Mr. Knapp is unsure if there are concerns that the developer still has to remedy and is only aware of the crack in the center of the road that needs to be taken care of by the developer. Mr. Knapp said some residents said some tree cutting needs to be done. The money is in an escrow account. It was discussed the Planning Board has not walked the road. Mr. Knapp said the development is 20 plus years old, and the houses at the end of the road have been added over the last few years. Chairman Clow said the Planning Board did not schedule a site walk for the road. Mr. Knapp said this development was approved back in the 1980s as a dirt road. It is a narrow width road with a steep grade and is not currently being plowed. Mr. Knapp said they were able to get some pavement on the road. Mr. Fred Ventresco said that Mr. Knapp cannot maintain the road until the BOS accepts the road. Chairman Clow commented that because of the turn around it would be better off to be plowed further. The turnaround that was there is now a driveway. Mr. Knapp has no issues accepting the 1,300 LF of road. Selectman Kurk asked who is repairing the split in the road. Mr. Knapp said the money will come from the escrow account to repair the road.

Mr. Dennis Terrio, the newest resident on Meadow Drive who arrived last January said he was told by the previous owners that the town would be adopting the road back in the spring, which did not happen. Mr. Terrio said he met with Mr. Ventresco about some issues especially the substantial drop off at the end of his driveway and he suggested that the people clearing out the area put some boulders there for safety issues and at that time they were told the town was not responsible for the road. Mr. Terrio said he hopes the town votes to accept the road.

Mr. Thomas VanBost, 69 Meadow Drive said the road was plowed last season marginally by the developer. He is concerned because he was told the road was to be adopted by the town. Mr. VanBost said people are having a hard time driving the road and he is concerned as the winter progresses it will be very difficult to maneuver the road. He mentioned the steep incline and said he does not know about any stipulations to put in a guardrail.

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Selectman Kurk asked Mr. Knapp if putting in a guardrail could be covered with the escrow money. Mr. Knapp said there is not enough money to put in the guardrail in the account and this would need to be done by the developer. Mr. Knapp said in order for the town to accept the road and liability the guardrail would have to be put in by the developer.

Mr. Phil Paveglio, owns the house at the end of Meadow Drive said this portion of the road has only been in existence for about 1 ½ years. He is concerned with safety. Mr. Paveglio mentioned the developer has set aside the money to seam the road. Mr. Paveglio said the drop off is within the town guidelines to accept the road.

Selectman Butt asked who informed the people that the road was not going to be accepted. Mrs. Isabelle Terrio said she came into the town offices several times and was told by Naomi Bolton the road was going to be accepted this past spring. When she saw the markers were put in she said she came in again to ask Mrs. Bolton about the road being accepted. Mrs. Terrio said Mrs. Bolton told her it was not going to be accepted. Then she was told by Mr. Ventresco that there needed to be a special meeting. She said the plow goes to the top of the road but lifts his plow up and does not plow. Mr. Ventresco said the town cannot plow on a private road. Mr. Ventresco said they have to continue with the process and the developer did not follow through in a timely manner. Mrs. Terrio said the town allowed the bond to expire and that is not the residents fault and they should not be penalized for a mistake within the town office.

Chairman Clow closed the public hearing at 7:26 p.m.

Selectman Butt is concerned and said typically Mrs. Bolton does not give out information that has not been confirmed. Mr. Knapp said until the developer requests that their development be taken over by the town there is no action taken. Mr. Ventresco said the Planning Board has nothing to do with this at this stage. The developer has just now requested the town take over the road and that is why they are having this public hearing. Mr. Knapp said he is concerned with the resident's concerns with the drop off and that the town should not be responsible for this drop off. Mr. Knapp said the road is windy and very steep. Selectman Kurk said if they accept the road tonight then the town starts plowing but if it is not completed according to agreement with the developers what happens. Mr. Knapp said once the town accepts the road they are responsible for the road and will be responsible for the guardrail if the developer does not do this. Mr. Knapp said the road is not built to the standard they require today. Selectman Butt wants to know how they define this section of Meadow Drive. Mr. Knapp said it is a 1,300 extension to Meadow Drive. Mr. Knapp said it would be easier to plow to the top but he is concerned with the drop off and said the drop off should be taken care of before the town accepts the road. Chairman Clow asked Mr. Knapp to review the site. Mr. Knapp said the drop off is more than 25 feet from the road. Chairman Clow said if it meets the standards of all other roads than they should accept it. Chairman Clow said they won't have another public hearing but they will have their decision on Monday, January 25th. Selectman Lacasse said they should approve the road tonight. Selectman Butt said they could accept the road and state the drop off is not the town's liability.

Vice Chairman Clark entered the meeting at 7:30 p.m.

Selectman Butt moved, Selectman Lacasse seconded to accept the 1,300 foot extension of Meadow Drive on the stipulation that the drop off is not the responsibility of the town and is beyond the liability. Passed 4-0-1, Vice Chairman Clark abstained

It was discussed that Mr. Knapp will plow the road the next storm.

Chairman Clow moved, Selectman Kurk seconded to enter into non public session @ 7:35 p.m. pursuant to the authority granted in RSA 91-A:3, II (a and b). A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

_____ moved, Selectman _____ seconded to come out of non public session 8:12 @ p.m. A roll call vote was taken, Selectman Butt – yes; Vice Chairman Clark – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

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Chairman Clow said during the non public session the Board conducted 3 interviews for the Police Department.

Chairman Clow moved, Selectman Butt seconded to hire Dawn Wheeler as full time secretary for the Police Department at \$13.50 per hr effective January 1, 2009. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to hire Cara Bellerose as part time animal control officer at \$10.00 effective January 2, 2009. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to hire Nick Nadeau as a part time officer for 24 hours per week at \$13.60 per hour effective January 2, 2009. Passed 5-0-0

Town Clerk, Evelyn Connor, swore in Nick Nadeau as a part time police officer for the Town of Weare.

MANIFESTS

Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated December 31, 2008. Passed 5-0-0

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| Accounts payable | \$374,382.44 | (Weare School \$350,000) |
| Gross Payrolls | <u>\$51,156.52</u> | (includes Spec Detail, Credit Union, Taxes) |
| Total | \$425,538.96 | |

Chairman Clow moved, Vice Chairman Clark seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated December 29, 2008. Passed 5-0-0

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| Accounts payable | <u>\$1,751,065.55</u> | (Pay down TAN drawn) |
| Total | \$1,751,065.55 | |

Selectman Kurk asked Ms. Jan Snyder about a change in a number written in red and asked why it was changed from what was typed in. Ms. Snyder said the town did not have the money available to cash checks today. Ms. Snyder said \$434,000.00 will be available on Wednesday and another \$2 million has now been placed in the Tax Collector's account and will be available on Wednesday. Ms. Snyder said there is another mortgage company that has not paid yet. It was discussed the TAN expires on December 31, 2008.

Ms. Sherry Burdick is requesting an article be placed on the warrant to set aside funds to celebrate the 250th anniversary of the Town of Weare. Ms. Burdick said the anniversary is in 5 years and feels they should start putting money aside now and possibly get a committee together. Chairman Clow said they have not formalized any warrant articles, but they are compiling a list. Ms. Burdick is requesting \$6,000 a year for 4 years. Chairman Clow said they need to have a public hearing on budget and warrant articles on January 15, 2009. The celebration will be sometime in 2014.

Mrs. Betty Straw informed the Board the Mildred Hall Advisory Committee is requesting money be spent from the Mildred Hall Trust Fund. Mrs. Straw said there is a \$300 bill for work done on a boulder at the entrance of the Charles and Ethel Conservation Area. Mrs. Straw said this was always intended to be done at the request of Mildred Hall to establish a memorial for her parents. Mrs. Straw said there was a boulder already in place at the end of the cultisac and Charles and Ethel Eastman Conservation Area 2006 will be engraved on the boulder. The cost for the engraving still has not been determined. The \$300 was the cost to have the boulder prepared for the engraving. Vice Chairman Clark asked to have the check payable to the company not the individual.

Vice Chairman Clark moved, Selectman Kurk seconded to authorize the payment of \$300 payable to Andrew Spielberger, dba The Mended Wall, for boulder preparation. Passed 5-0-0

CONTINUATION OF BUDGET DISCUSSION – Chairman Clow said last year they led off their portion of the warrant with the highway garage, followed by the operating budget and then the CIP program article.

Chairman Clow said he is not sure where they stand with appropriations of Government Building and Maintenance Fund or Road Reconstruction. Chairman Clow mentioned having articles for Hazardous Waste Collection Day, Cemetery Improvement, Fireworks, the Cable Committee recommendation for an experienced professional, CIP for

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employee retirements and is unsure if they are going to add to it. It was mentioned there may be Petition Articles. The Board included the article for the Fire Engine. Selectman Butt said it was discussed there could be an article for full time fire fighters. Mr. Ventresco said he spoke with Bill Tiffany and he said he was still unsure; but discussed making the Fire Chief a full time position.

Mr. Ventresco said January 13, 2009 is the deadline to get the add in the paper and the write up to present the budget will be on January 20, 2009.

Mr. Ventresco discussed meeting with the Finance Committee.

Ms. Brenda Lashway, Chair of the Finance Committee, informed the Board the committee is meeting tomorrow night with the Fire and Police Chiefs. Ms. Lashway said the school districts are holding their public hearings on January 14th and 15th. The Finance Committee is meeting with Carl Knapp on Saturday, specifically on the building. Ms. Lashway will confirm with other members of the Finance Committee on when they can present to the BOS.

Selectman Butt asked for the email to be explained regarding the \$18,000 under the requirement for the default budget. Mrs. T. Connor said to calculate the default you use the prior year revised budget plus or minus contractual agreements and one time obligations and then it is up to the Board from there. Mrs. T. Connor said this sheet she put together was a request by a Selectman to put together and she did so according to the same practice as other years.

Mrs. T. Connor said the \$4,662,309.00 for the Operating Budget equals the 2008 revised plus and minus any contracts or one time expenditures, but does not include the increases in maintenance lines because those are under decision of the BOS. Mrs. T. Connor said the Board can do as they choose from that point. Selectman Butt said there are no provisions for fuel sur charges provided by law.

Chairman Clow said there are still items they need to go back to. Mr. Ventresco said they only need to go back to Fire and Police. Selectman Lacasse said they have not voted on the wage increases. It was discussed that the Police Department still has some decisions to be made; specifically the Chief's salary. Chairman Clow said they need to have a non public because they are working on negotiations with the Police Contract.

Selectman Butt commented on the government buildings custodial line being \$24,267 (proposal for 32 hours per week to service town buildings: Safety Complex, Stone Building, Town Hall and Town Offices) and said the Fire Department custodial line is \$1,400. Selectman Butt questions if they should pull the money out of the Fire Departments custodial line and add it to that. Chairman Clow said they have to add it to the default so as not to lose it. It was discussed they would move it to the government buildings proposed and default. The Fire Department will be having a separate wage increase. Selectman Butt asked if the same custodial employee would be utilized for the 32 hour position. Mr. Ventresco said he is unsure if the same person will stay in the position. It was determined \$20,467 would be in the proposed budget and \$14,310 in the default for custodial and 0 in the Fire Department custodial line.

Selectman Lacasse discussed the line being utilized for a wage increase of 5% with the understanding it will be distributed according to merit and not across the board and does not include union employees. It was discussed that 14 employees are eligible for the raise including the Town Administrator (TA) but not including the Police Chief (PC). Mrs. T. Connor said the Board has the discretion to do what they want. Vice Chairman Clark said it should not include employees with contracts. Selectman Kurk said she is counting 15 employees. Selectman Butt feels the TA and PC should not be included in the pot for the wage increase and should be separated. Selectman Lacasse feels the TA and the PC should be included and determined at a 3% increase. Vice Chairman Clark said a 5% increase is a high number. Chairman Clow said you need to take into account that it was 0 last year. Vice Chairman Clark said it was 0 for a lot of the public as well. Chairman Clow said the 5% does give them flexibility. Chairman Clow said they have 2 issues, should they include the TA and the PC as part of the total amount for raises or should they be treated separately and secondly what number they should use to represent the percentage of wage increase. Selectman Lacasse said he is ok with leaving it in there but not ok with the percentage. In the number that is in

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today's print the TA and PC are included. Vice Chairman Clark asked about this being a warrant article or being including in the operating budget. Chairman Clow said he is fine with separate warrant articles or in the operating budget but not in both places. Vice Chairman Clark thinks a 5% wage increase is too high and said in the public people are losing their jobs. Selectman Butt said the most important asset in the town is their employees and it is the Board's obligation to keep the tax rate down, which they are doing, and do what's best for the employees and the town. Chairman Clow feels they should leave the line at \$30,536 as it is presented and the Board has the flexibility on how it is used; it represents the possibility of a 5% increase or more or less.

Selectman Butt said they have a request for \$87,800 for the Police Chief salary. Selectman Butt feels there are no employees who would get less than a 3% increase. Selectman Kurk said they could put on the table a proposed increase in the Police Chief's salary. Selectman Butt said they could put the Police Chief's salary on the warrant for an increase. Vice Chairman Clark feels that position's increase should be done by a warrant article because it is an elected position. Selectman Butt said the amount in the pool is not sufficient. Selectman Butt feels the wage increase has a better chance of passing as a separate warrant article.

Vice Chairman Clark proposed they have the employee increases in a separate warrant article instead of in the operating budget and the Police Chief would have a separate warrant article. The Fire Department is separate. \$54,868 was requested last year for employee wage increases and failed. Selectman Butt wonders if the employees feel they are supported by the BOS if their wage increase is in a separate warrant article. Chairman Clow said the Benefit Review came up with the plan last year and determined base salaries of all employees. Selectman Kurk wonders how the article would be worded. Vice Chairman Clark said that the funds would be in a pool and a wage increase would be determined by individual performance. The Board discussed they need to determine a number for the Police Chief's salary. Vice Chairman Clark said you need to take the person out of the position. Mr. Ventresco informed the Board that it is written in the Town Administrator's contract that the wage increase is the same as other employees. The Board agrees to have the wage increases as a separate article without the Police Chief for a total of \$26,665. Selectman Lacasse wants the article to state the number is based on 5% wage increase but is subject to employee performance.

The Board discussed that the Fire Department budget needs to have some lines broken down.

Mrs. T. Connor said the Police Department full time secretary line should be sufficient and is in the default as well.

Mrs. T. Connor will run out new budgets for the Finance Committee and leave it in their box for Tuesday morning.

Mrs. T. Connor said the only department that has come to her with invoices they know that are coming in is Highway totaling \$17,000. Mrs. T. Connor said the Fire Department who originally told Mr. Ventresco they could only spare \$5,000 has \$40,000 remaining for the year. Mrs. T. Connor said she sent a very detailed email to all departments requesting all invoices. Salt has already been accounted for \$6,100, which was just purchased. Selectman Kurk asked if the salt on order is included in 2008 budget. Mrs. T. Connor said Mr. Knapp is planning on putting that in his 2009 budget. Selectman Butt said the remainder could be spent or encumbered. Mrs. T. Connor said this does not include the \$50,000 from DRA. Vice Chairman Clark is asking how this amount could be remaining; she feels the Town Administrator should have known this. Mr. Ventresco said he sits down with department heads and asks them for the amount they need for the remainder of the year. Mr. Ventresco can only go by what he is told from department heads for figures. Chairman Clow asked if the money truly is remaining in the Fire Department budget then does the Board want to commit a certain amount towards the purchase of salt. Selectman Butt feels if they purchase salt now then they should reduce the 2009 salt budget by that amount. Chairman Clow said he does not agree. Chairman Clow said he does not think they can tell employees not to spend money and then at the end of the year tell them there is all this money remaining. Vice Chairman Clark said the Fire Department did not misuse their funds but the Board needs to be on top of this and should have known all along. Selectman Butt said the only department they should be truly worried about left to expend funds would be the Highway Department. Selectman Butt and Selectman Lacasse prefer to put any remaining funds from the Fire

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Department into the General Fund. Selectman Butt said effective January 1st they will be working off the 2009 default budget.

The Board discussed the request from Judy Rogers for Assessing software. Chairman Clow said if they were to do anything with this remaining money from the Fire Department they should purchase a necessity such as salt. The Board said Mrs. T. Connor is already signed up for her course. Mr. Ventresco said employees have asked if they could encumber funds. It was discussed there has to be an invoice for 2008. Mrs. T. Connor said she has until the 10th of January to encumber funds. Mrs. T. Connor said she will know on January 10, 2009 what will be deposited into the General Fund. The Board decided the money sits there for now.

Selectman Butt said he is meeting with Accunet regarding a website and invited anyone who was interested.

Motion to adjourn at 10:15 p.m.

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary